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SPENCER SUTTON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

A hearing on the Motion to Withdraw as Plaintiff's Counsel filed by David M. Helbraun on July 27, 2011, came on regularly for hearing at 1:00 p.m. on October 18, 2011 in Courtroom 1, 4th Floor, of the above-entitled Court, the Honorable U.S. District Court Judge Saundra Brown Armstrong presiding. A Statement of Non-Opposition was filed on behalf of defendants. Plaintiff Spencer Sutton submitted a later dated October 10, 2011 in opposition to the motion.

David M. Helbraun, Esq. appeared on behalf of himself, the moving party. Michael Gerchow, Esq. of the San Francisco City Attorney's Office appeared briefly at the commencement of the hearing on behalf of the defendants, and then exited the hearing at the Court's request, to permit plaintiff and his counsel to discuss with the Court attorney-client privileged matters pertinent to the motion. Mr. Sutton appeared by telephone. Mr. Sutton consented to discuss attorney-client privileged communications for the limited purpose of

1 addressing issues raised by this Motion, and the Court indicated that the transcript of the hearing
2 would be sealed based upon attorney-client confidentiality.

3 THE COURT, having read the parties' written statements, and having heard moving
4 party's argument and the response of Plaintiff Spencer Sutton, and having considered and
5 weighed the facts and issues presented,

6 IT IS HEREBY ORDERED that the Motion to Withdraw is denied without prejudice to
7 renewal if plaintiff fails to cooperate and communicate with his attorney for reasons within his
8 control; and

9 IT IS HEREBY FURTHER ORDERED that the transcript of the record of the hearing on
10 this motion is sealed and may not be obtained by anyone other than plaintiff and his counsel.

11 IT IS SO ORDERED.

12 Dated: October 21, 2011


13 HONORABLE SAUNDRA BROWN ARMSTRONG
14 UNITED STATES DISTRICT JUDGE

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